

2 investigation.
3 Q. Did you say it was improper him
4 entering the kids?
5 A. I don't recall.
6 Q. That's my question.
7 A. No. I don't think so.
8 Q. Ever.
9 A. I'm not sure of that.
10 As the investigation moved
11 forward do I feel what he did was wrong?
12 Yes.
13 Q. I'm not asking if you felt what
14 he did was wrong and I take it you mean being
15 involved with his brother, not putting the
16 entry in.
17 Is that what you mean?
18 A. No. I mean both.
19 Q. Both?
20 A. Yeah.
21 Q. Okay. So you believe he did
22 something wrong by entering the kids into
23 NCIC?
24 A. Yes.
25 Q. Why?

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2 A. Why?
3 Q. Yes.
4 Why?
5 A. If somebody is going to put kids
6 into NCIC as missing, he obviously knows from
7 his brother that we are hailing an
8 investigation. He made no contact with us.
9 Q. Excuse me. You weren't
10 investigating missing children.
11 Were you?
12 A. That was -- you're going to play
13 these word games again.
14 Q. No, I'm not. That's your --
15 A. That's what he reported to us.
16 Q. And you, according to your
17 determination, you determined it wasn't a
18 missing children event because they were with
19 the kids (sic).
20 Isn't that what you said?
21 A. Again, a determination not made
22 by me.
23 Q. I don't care about that.
24 You were of the premise,
25 however you got it, that the kids weren't

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1 JOSEPH TRIPP
2 missing.
3 A. Correct.
4 Q. Obviously, Newtown Police didn't
5 agree with that.
6 Correct?
7 A. No idea what their thought
8 process was.
9 Q. Okay. But somehow they were
10 wrong to believe the kids -- the children
11 were missing?
12 How is that?
13 A. Again, you're asking me to come
14 up with his thought process.
15 Q. I am asking your thought process
16 because you said there was something wrong
17 and I want to know what and how you came to
18 that conclusion.
19 A. He would have known that we were
20 doing an investigation.
21 Q. Into what?
22 A. Locating Mr. Bush's children.
23 Q. Why were you trying to locate his
24 kids?
25 A. Because he asked us to.

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1 JOSEPH TRIPP
2 Q. Okay. Did he tell you they were
3 missing?
4 Yes or no, Sergeant?
5 A. He said they were missing.
6 Q. So the only information you had
7 were the kids were missing and the D.A. told
8 you to keep going around this circle that
9 they weren't missing.
10 Is that your testimony?
11 A. The decision was made by the
12 Tioga County District Attorney as to not
13 treat this as a missing children.
14 Q. And that decision, if I
15 understand you correctly, was almost
16 immediate from the start of this
17 investigation.
18 Is that true?
19 A. It was very quick. Yes.
20 Q. State Police want me to be very
21 specific. So I need to know what you mean by
22 very quick.
23 A. I don't know. You're asking me.
24 This is not my investigation. Trooper
25 Whisner's investigation, Corporal Wheeler

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supervisor, I am station commander. You're asking me to form opinions on this stuff that -- you know what I mean?

Q. I do, but you have to understand from my point of view.

A. I do.

Q. Okay. You're telling me you know things under oath, but then telling me, well, I don't really know them, that Whisner is the only one that knows them.

So do you know or don't you know other than what you were told that the District Attorney's Office formed an opinion that this wasn't a missing persons event?

A. That is what the opinion was from the district attorney.

Q. And you know that personally because you were present when he said that.

A. Trooper Whisner and Corporal Willard, yes. Not when John Cowley, the district attorney, made the statement. No. I was not present.

Q. So you then only know it from the

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result of what somebody told you. You weren't present for the D.A. to say that.

A. Correct.

Q. All right. Is it your testimony you've never spoken with Captain Hill, now Major Hill before this litigation?

A. Relative to what.

Q. I'm just going to ask a yes and no.

MR. HENZES: In general?

BY MR. PURICELLI:

Q. Yes. And I expect certain answers.

A. Well, you need to be more specific.

Q. No. I don't.

MR. HENZES: Ever?

MR. PURICELLI: Ever.

MR. HENZES: Then say ever.

MR. PURICELLI: I don't have to say ever.

MR. HENZES: Well, yes.

You do.

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JOSEPH TRIPP

MR. PURICELLI: No. I don't.

THE WITNESS: Have I spoken to Major Hill prior to this litigation.

BY MR. PURICELLI:

Q. I think that's what I said. Yes.

A. Yes.

Q. See, it's much easier if you answer yes or no.

Now, follow-up question.

Did you speak with him ever about Christopher Bush or David Bush?

A. I don't recall.

Q. Can you provide me with any facts to dispute the allegations that you and Captain Hill, now Major Hill talked about David and Christopher Bush and after talking Captain Hill, now Major Hill called CLEAN to have them look into the NCI entry?

A. Okay. That was --

Q. I know it was.

A. Did we talk about these two prior to him calling CLEAN?

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JOSEPH TRIPP

Q. Can you offer me any facts to dispute --

A. No.

Q. -- their claim?

A. No.

Q. And it's your testimony you didn't see McDermott's report?

A. I have seen McDermott's report.

Q. Were you aware when you spoke to McDermott that Serene, Mrs. Bush, had reported the kids missing to the Richmond Police Department?

A. I know she was here in Lycoming County to report her kids missing. Yes.

Q. I understand that.

My question is: Were you aware before she had come to your troop that she had tried to report the kids missing in Virginia and specifically the Richmond, Virginia Police Department?

A. No.

Q. When you reviewed McDermott's report did you review the first page?

A. That report was kept at

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headquarters. I got a copy of that report long after when I got a copy of everything.

Q. Okay. So did McDermott ever tell you when he spoke to you about the history that it was known to him that the allegations of the kids being missing had already been reported by the local police department and that they had not agreed with Mrs. Bush?

A. I don't recall that. No.

Q. McDermott never told you that Serene told him that she reported the kids as missing to Richmond, Virginia Police Department and they would not help her?

A. Not that I recall. I know he was -- McDermott was filling out a missing persons gathering all the information for somebody.

Q. Did he tell you that Mrs. Bush told Trooper McDermott the following: That she contacted the Virginia State Police and they told her that she had to figure out what court papers was issued from Luzerne County before they could do anything?

A. There was talk about the Luzerne

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County court order.

Q. Did McDermott tell you that when he called you?

A. There was some conversation about the court order.

Q. Okay. And you previously testified you wouldn't know if a court order was good or bad.

Correct?

Just by looking at it.

A. No.

Q. And --

A. Other than it was coming from Luzerne County.

Q. All right. The Luzerne County court order that you were talking about, okay, you weren't a party in any way to the discussion on how that order came to be.

Correct?

A. I asked Mr. Bush how he got a court order out of Luzerne County.

Q. And what did he tell you?

A. I said, did you suddenly move to Luzerne County?

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JOSEPH TRIPP

He said, no.

Q. Okay. You didn't know that any Court of Common Pleas Court would have jurisdiction over -- subject matter jurisdiction over divorce matters?

Did you know that?

A. That you can go to any county you want and file?

Q. Yeah.

A. No. I didn't know that.

Q. You didn't know that people regularly go to Dauphin County for divorce matters when they don't live in Dauphin County?

A. No, sir. I didn't know that.

Q. You didn't know there were attorneys that actually advertise to do that?

A. No.

Q. Okay. Were you aware in the investigation done by your station that the Tioga County judge had indicated that he no longer had jurisdiction over the custody issue?

A. No.

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JOSEPH TRIPP

Q. Did you receive any -- did David Bush provide you with any transcripts of court proceedings from Tioga County?

A. He provided us with a ton of stuff.

Q. Okay. And do you recall any of your investigators telling you they actually read those transcripts?

A. No.

Q. I assume you didn't.

Correct?

A. I don't recall if I read transcripts or not.

Q. Okay. Do you have any relationship with the Haven organization?

A. Working relationship.

Q. Other than working. I think you talked about that.

A. What type? No.

Q. Do you receive any monies from them?

A. No.

Q. Did you develop any information that Sara Bush had changed the identities of

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2 the children?
3 A. Did I or did our investigation?
4 Q. Your investigation.
5 A. I believe they did. Yeah. They
6 have different names listed.
7 Q. Okay. And did your investigator
8 conclude why she changed the identities of
9 the children?
10 A. Again, you're asking me to make a
11 conclusion of what one of my troopers did. I
12 don't know.
13 Q. You couldn't tell from the
14 report?
15 A. No.
16 Q. When was the first discussion you
17 had with the FBI?
18 A. When they were looking for Dave
19 Bush.
20 Q. Okay.
21 A. After the children were taken
22 from Virginia, I think.
23 Q. Do you know who Detective Lawson?
24 A. Doesn't ring a bell.
25 Q. What, if anything, did you learn

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2 about the changing of the kids' names?
3 A. Excuse me?
4 Q. What, if anything, did you learn
5 about the changing of the kids' names from
6 the name Mr. Bush reported to you?
7 A. What did we learn?
8 Q. If anything.
9 A. I didn't learn anything from it.
10 Q. Even from the review of the
11 report you learned nothing of why the kids
12 were changed -- their names were changed and
13 who changed them and under what authority
14 they were changed?
15 A. I would assume their mother
16 changed them.
17 ---
18 (Recess.)
19 ---
20 BY MR. PURICELLI:
21 Q. All right. The Attorney
22 General's Office has provided me with
23 documents responsive to my requests, one of
24 which was an investigation conducted in
25 regards to the Christopher Bush complaint.

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1 JOSEPH TRIPP
2 Randy has done an exhaustive search --
3 MR. HENZES: On Brian's
4 computer using a disk my secretary
5 copied for him.
6 MR. PURICELLI: And come
7 to the same conclusion I did on my
8 search, which is we can't find the
9 writing that Sergeant Tripp has
10 testified to and that I'm sure we will
11 continue to look for it.
12 Right?
13 MR. HENZES: If it exists.
14 MR. PURICELLI: If it
15 exists.
16 MR. HENZES: If it exists.
17 I think he testified he's
18 not sure if he gave him something in
19 writing or it was over the phone. He
20 said he wasn't sure what he did with it.
21 MR. PURICELLI: I think
22 the record will show he did something in
23 writing and sent it. He didn't remember
24 how he sent it, but may have kept a copy
25 because he always keeps a copy when he

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1 JOSEPH TRIPP
2 send something to company headquarters.
3 At least that's my
4 recollection.
5 We went to all that battle
6 for nothing and we'll move on.
7 BY MR. PURICELLI:
8 Q. All right. Sergeant Tripp, a
9 moment ago you had told me you learned the
10 kids' names had been changed.
11 Do you know how you
12 learned the kids' names had been changed?
13 A. I believe through Trooper
14 Whisner.
15 Q. Okay. Do you know about when it
16 was you learned?
17 A. (Shakes head from side to side.)
18 Q. Would it have been before or
19 after you learned that the kids had been
20 located?
21 A. I think it was before.
22 Q. You think.
23 A. I think.
24 Q. If we looked at his report would
25 that help refresh your memory whether it was

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2 before or after?
3 A. It says on 10/23/06 Sara Bush,
4 who had changed her name to Isara Isabella
5 Serene.
6 Q. 10/23/06?
7 A. That's the date that she had the
8 Luzerne County order vacated, but that's the
9 first where I see documentation.
10 Q. And if I tell you she had the
11 Luzerne County order vacated after
12 Christopher Bush and David Bush had already
13 located them and picked up the children, can
14 we agree that there's no entry that you can
15 see in that report to say that the State
16 Police had developed the same information as
17 Newtown had in locating the children?
18 A. I don't know what you're asking
19 me.
20 Q. Did the State Police find the
21 kids?
22 A. Nope.
23 Q. Did they find out the kids' names
24 had been changed on their own?
25 A. You asked me. I don't know.

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2 Q. I'm asking you based on the
3 report that you reviewed.
4 A. It says right here like I told
5 you that she had the order vacated. It
6 appears after the kids were located they find
7 out the kids' names were changed.
8 Q. Can we agree if I rely on this
9 report we'll see that the entry made in NCIC
10 of the kids' names were their given names,
11 not their changed names?
12 A. We didn't put the entry in. He
13 did.
14 Q. I understand that. I'm asking if
15 you would agree with that.
16 A. I don't know how he entered them
17 without looking.
18 Q. I thought you looked at the
19 report.
20 A. That's the one out of Virginia.
21 I don't see the copy of
22 the one made by Detective Bush.
23 Q. All right. So you can't agree
24 with me.
25 Right?

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1 JOSEPH TRIPP
2 A. That's the Virginia.
3 Yeah. I don't know how he
4 entered them.
5 Q. Okay.
6 A. I don't recall.
7 Q. Do you recall -- well, strike
8 that.
9 Last page of the report.
10 It's a June 28, 2007 memo.
11 MR. HENZES: June 28?
12 MR. PURICELLI: June 28,
13 2007 memo. Requests for duplication of
14 report from Lieutenant Dennis C. Hile,
15 commander criminal investigation
16 section, Troop F, Montoursville.
17 He might need that Randy.
18 MR. HENZES: Yeah. I'm
19 just looking at what you're looking at.
20 All right. You're asking
21 him about what Dennis Hile wrote to
22 somebody.
23 BY MR. PURICELLI:
24 Q. Well, did I describe the document
25 accurately?

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1 JOSEPH TRIPP
2 A. Can I --
3 Q. You may.
4 A. Did you ask me if I could --
5 Q. No. I described it for the
6 record.
7 MR. HENZES: He wants to
8 know if he described --
9 THE WITNESS: Yes.
10 BY MR. PURICELLI:
11 Q. Okay. Bottom of it apparently is
12 a request for Report No. F5891031 to be
13 duplicated and sent to Dennis C Hile.
14 Correct?
15 A. Correct.
16 Q. And the document that I've given
17 you, Ignatz-5, has an incident number on it
18 in the upper right-hand corner.
19 Does it not?
20 A. Yes.
21 Q. Are they the same numbers?
22 A. Yes.
23 Q. All right. So this memo from
24 Hile is requesting the David Bush
25 investigation report.

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2 Correct?
3 A. Yes.
4 Q. Okay. All right. And Lieutenant
5 Dennis C. Hile has in this document David
6 Bush as the victim and Sara Nicole Monserrate
7 AKA Sara Bush as the suspect.
8 Correct?
9 A. That's what he has listed.
10 Q. And it has you down as the
11 requesting personnel.
12 Doesn't it?
13 A. Correct.
14 Q. And what were you requesting?
15 MR. HENZES: No. No. No.
16 He has him as the
17 requesting personnel.
18 MR. PURICELLI: Yeah. I'm
19 just reading it, Randy.
20 BY MR. PURICELLI:
21 Q. It says requesting personnel
22 colon Sergeant Joseph Tripp.
23 Doesn't it, Sergeant?
24 A. Yes.
25 Q. Okay. So I read it correctly.

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2 MR. HENZES: But you're
3 asking him what someone else wrote.
4 BY MR. PURICELLI:
5 Q. I'm only trying to find out
6 factually what's going on here.
7 A. Why was this --
8 Q. Why were you listed as the
9 requesting personnel?
10 A. Again, whether it be from being
11 notified that you're a subject of a BPR or a
12 pending lawsuit when these reports are kept
13 on station once it's closed out the
14 attachments are separated and sent down to
15 DHQ.
16 A. I saw that. I saw it noted in
17 the report. I understand that.
18 A. It says here: Due to attachments
19 being not needed, which again, we need all
20 the attachments to a report. That's why we
21 were requesting another copy.
22 Q. That's where I'm going.
23 Are you the one requesting
24 the duplicate copy of these attachments or is
25 Dennis C. Hile requesting them?

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1 JOSEPH TRIPP
2 A. I think I did.
3 Q. Thank you.
4 Why?
5 A. To have all the information.
6 Q. Well, wasn't the subject of your
7 investigation merely the contact you had with
8 David Bush and Newtown Township?
9 It's a yes or no.
10 A. The subject of my investigation?
11 Q. Yes.
12 A. Yes.
13 Q. Okay. Why did you need every
14 attachment in whatever you classified this, a
15 missing person report or concealment of, why
16 did you need everything?
17 A. To be able to prepare thoroughly.
18 Q. To say what you said and didn't
19 say, know and don't know when you call why?
20 A. To have at all information in
21 front of me.
22 Q. Well, how would an NCIC entry by
23 Virginia help you to discuss what you said to
24 Christopher Bush when you never saw the NCIC
25 entry?

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1 JOSEPH TRIPP
2 A. Okay. What's your question?
3 Q. Well, my question was: How would
4 that help you to answer the question that
5 would be raised about the complaint that you
6 said certain things and act a certain way?
7 A. Well, wasn't the date of his
8 complaint January of '07?
9 Q. Well, let's answer my question
10 first. Okay?
11 A. Well, you're asking me the date
12 on this is June 28, 2007. That investigation
13 would have been over. So this could have
14 been the possibility of requesting report for
15 this pending litigation.
16 Q. Do you know?
17 A. I can only assume. I don't
18 remember. Like I said, when you get involved
19 in something either BPR, litigation, you want
20 copies of all your attachments. Simple as
21 that.
22 Q. Well, if you requested all these
23 attachments to prepare for this litigation
24 when I requested you to produce what you
25 requested, did you make copies of your

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2 attachments that you got and send them to
3 your attorney?
4 A. Your request goes through
5 departmental headquarters.
6 Q. No. My request --
7 A. It has nothing to do with me.
8 Q. So would your answer then be no
9 one ever told you to collect documents and
10 send them to your attorney however you got
11 them to him?
12 A. Yes.
13 Q. Well, did you make notes from any
14 activities that you had been involved in
15 either with David Bush or Christopher Bush?
16 A. Have I made notes?
17 Q. Yes.
18 A. Yes.
19 Q. Okay. And I think you told me
20 you keep the notes. Investigator keeps the
21 notes. They don't get attached.
22 Right?
23 A. That's what Lieutenant Ignatz
24 said. Yes. Correct.
25 Q. Okay. So when I asked for your

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2 notes, too --
3 A. Oh, they're long gone.
4 Q. When would they have been long
5 gone?
6 A. Because -- Mansfield station
7 commander?
8 Q. Uh-huh.
9 A. I no longer work in Mansfield.
10 Q. Okay.
11 A. I now work in Montoursville. If
12 I kept every note from every investigation I
13 would need a room this big to put them in.
14 That's why it gets documented in a report.
15 Q. Okay. And then you would have
16 been able to tell me that, that you destroyed
17 your notes?
18 A. That's not common practice to put
19 in your report that you destroyed stuff in
20 your noteboke.
21 Q. I'm referring to your assumption
22 that memo is in response to this litigation.
23 A. Could have been. I told you I'm
24 not sure which one it was.
25 Q. Okay. So it just as equally

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1 JOSEPH TRIPP
2 could be about your BPR investigation.
3 A. It appears it's long after the
4 BPR investigation.
5 Q. Okay. So what other reason would
6 you need to see --
7 A. Apparently litigation.
8 Q. Let me get the question out.
9 We've been yelled at enough by the court
10 reporter.
11 MR. PURICELLI: I'm trying
12 to slow down here for you, Barb.
13 BY MR. PURICELLI:
14 Q. What reason other than this
15 litigation would you need to get a copy of
16 only the attachments in the Sara Bush, David
17 Bush case on that date of June 28 of '07?
18 A. I believe this letter says -- of
19 course it was not typed by me, but it says
20 due to the attachments being needed it is
21 hereby requested that the following report.
22 So they got the whole report plus the
23 attachments.
24 Q. Okay. Then I'll add the report.
25 A. But I can get a copy of the

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1 JOSEPH TRIPP
2 report from the Mansfield station --
3 Q. Under what --
4 A. -- that would not have any of the
5 attachments.
6 Q. Under what State Police
7 reasoning, FR reg, AR reg, whatever, would
8 you have the need to ask for that report?
9 MR. HENZES: So we're
10 clear, he's not asking for the report.
11 It's being requested by Dennis Hile. It
12 says from Lieutenant Dennise Hile to the
13 Director of Bureau Records
14 Identification attention. This is what
15 Hile wrote. You're asking him what Hile
16 wrote, and for whatever reason this is
17 the information Hile put in his memo.
18 MR. PURICELLI: What's the
19 last entry?
20 MR. HENZES: It says
21 interesting personnel. Hile wrote
22 Tripp.
23 Did you write this letter?
24 THE WITNESS: No.
25 MR. HENZES: Why is your

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2 name there?
3 Do you know why?
4 THE WITNESS: I don't.
5 MR. HENZES: It's
6 self-explanatory. And if you read what
7 it says it's forwarded to the attention
8 of CT2 Julia Foster, whoever that is.
9 Maybe you want to know who CT2 Julia
10 Foster is.
11 MR. PURICELLI: Well, we
12 can ask if you want to do my deposition
13 for me.
14 MR. HENZES: Well, you're
15 asking something that has really nothing
16 to do with anything.
17 MR. PURICELLI: Well, then
18 why is it in the packet of the BPR
19 and --
20 MR. HENZES: Because it
21 was part of what Trooper Hile, who did
22 the inquiry said this is part of the
23 file. I need this. So here you go.
24 Because this is part of the inquiry for
25 part of the documents.

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2 MR. PURICELLI: Inquiry
3 for what, Randy?
4 MR. HENZES: The
5 supervisory inquiry that was done on
6 Chris's complaint.
7 MR. PURICELLI: Oh, so we
8 are talking about the BPR.
9 MR. HENZES: No. We're
10 talking about supervisory inquiry, as
11 you will, when you talk to Major Hill,
12 you'll find out there's two different --
13 they're two different things.
14 BY MR. PURICELLI:
15 Q. How many times were you
16 investigated over Christopher Bush's
17 complaint?
18 A. Once.
19 Q. All right. I thought so.
20 Has anybody talked to you
21 that you were under supervision by any other
22 inquiry other than the BPR?
23 Do you know what he's
24 talking about the supervisory inquiry?
25 A. I do now.

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1 JOSEPH TRIPP
2 Q. Okay. Tell me what you know now.
3 A. That it was not a full
4 investigation. It was a supervisory inquiry.
5 Q. And you always thought it was?
6 A. Just flat out BPR. Just common
7 term for it.
8 Q. Now, this supervisory means, in
9 other classical terms, limited.
10 Right?
11 A. Sure.
12 Q. Okay. And if I understand
13 correctly, and you tell me if I'm wrong, in
14 order for it to be a supervisory it's got to
15 be approved by IA, director of internal
16 affairs, for example, Captain Hill, would be
17 allowed to assign somebody to do the
18 investigation on the Christopher Bush
19 complaint.
20 Correct?
21 A. That would -- that's his
22 bailiwick.
23 Q. I'm only asking your knowledge.
24 A. I have no idea how they determine
25 whether it's a limited, full investigation.

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1 JOSEPH TRIPP
2 I don't know.
3 Q. Okay. But you do know --
4 A. And who makes the decision.
5 Q. But you do know -- but you do
6 know, if I understand correctly, by the time
7 that request was done for attachments your
8 investigation, whether supervisory or BPR,
9 was over.
10 A. I don't know that.
11 Q. When were you officially notified
12 that the complaint against you was resolved?
13 A. Not sure.
14 Q. Not sure.
15 Did you get a letter?
16 A. Yes.
17 Q. Okay. And did you produce that
18 letter to your attorney?
19 MR. HENZES: You have the
20 letter. It's on the disk.
21 MR. PURICELLI: Okay.
22 BY MR. PURICELLI:
23 Q. Do you know if that letter is
24 dated before or after June 28, 2007?
25 A. Don't know.

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